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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/682,040	07/12/2001	Raman Chandrasekar	1018.134US1	6976

7590 06/24/2003

Steven J Rocci  
Woodcock Washburn LLP  
One Liberty Place 46th Floor  
Philadelphia, PA 19103

EXAMINER

AL HASHEMI, SANA A

ART UNIT PAPER NUMBER

2171

DATE MAILED: 06/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/682,040

Applicant(s)

CHANDRASEKAR ET AL.

Examiner

Sana Al-Hashemi

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 16 May 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-17 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) 18-27 and 31-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 28-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This is in response to the supplemental amendment filed on 5/30/2003 in which Claims 1-17, and 28-30 are presented for examination.

Claim Status: 1- 17, and 28-30, are rejected.

#### *Election/Restrictions*

Applicant's election of claims 1-17, and 28-30 in Paper No. 6 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

The requirement is still deemed proper and is therefore made FINAL.

Claims 18-27, and 31-33 withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No.3.

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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Claims 1-18, and 28-30 are rejected under 35 U.S.C. 102(e) as being anticipated by Woods (US Patent No. 6,282,538).

1. Regarding Claims 1, 9, and 28, Woods discloses a method for refining a user query, the method comprising:

receiving a query from a user (see column 4, lines 10-17, Woods);

mapping the user query to one or more search concepts (see Fig. 1, step 30, column 4, lines 26-35, Woods); and

displaying a list of the search concepts associated with the query (see column 46-58, Woods) .

2. Regarding Claims 2, and 10, Woods discloses a method further comprising initiating, upon the user's request, a preferred query associated with at least one of the one or more search concepts to provide improved search results (see column 4, lines 36-45, Woods).

3. Regarding Claims 3, and 12, Woods discloses a method wherein the one or more search concepts are popular search concepts and wherein their relative popularity can be used to order the displayed list (see Fig. 4, step 12, column 6, lines 14-19, Woods).

4. Regarding Claims 4, and 13, Woods discloses a method further comprising, for the one or more search concepts, adding a number of popularity points to the concept for each of a plurality of different query phrases that matches one of a plurality of key phrases associated with the concept and that is unique to the concept, wherein the number of popularity points is proportional to a number of times the query phrase appears in a query log (see column 6, lines 20-38, Woods).

5. Regarding Claims 5, and 14, Woods discloses a method wherein initiating the preferred search query comprises selecting a key phrase uniquely associated with the concept and having a greatest popularity for the concept within the query log as indicated by popularity points added to the matching concept as a result of the key phrase matching a query phrase within the query log (see column 6, lines 29-40, Woods).

6. Regarding Claims 6, and 15, Woods discloses a method further comprising apportioning a number of popularity points among two or more of the search concepts when a plurality of different query phrases match one of a plurality of key phrases associated with the two or more search concepts, wherein the number of popularity points is proportional to the number of times the query phrase appears in the query log (see Fig. 4, step 10, column 6, lines 50-54, Woods).

7. Regarding Claims 7, and 16, Woods discloses a method further comprising determining a popularity measure of the search concept as a function of the popularity points of the search concept and the popularity points of a most popular one of the one or more search concepts (see column 6, lines 55-63, Woods).

8. Regarding Claims 8, and 17, Woods discloses a method wherein the method is performed by execution of instructions stored on a computer-readable medium (see column 3, lines 62-67, Woods).

9. Regarding Claim 11, Woods discloses a method wherein the set of improved search results comprises one or more sub-sets of the set of improved search results, each sub-set associated with one of the search concepts and having a number of search results proportional to a relative popularity of the one or more concepts (see Fig. 4, step 7, column 6, lines 64-67, Woods).

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10. Regarding Claim 29, Woods discloses a system wherein the server is a search engine and the client is a web browser (see column 4, lines 11-15, Woods).


11. Regarding Claim 30, Woods discloses a system wherein the server and the client are applications (see column 3, lines 62-67, Woods).

***Points of Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to: Sana Al-Hashemi whose telephone number is (703) 305-4881. The examiner can normally be reached on Monday - Friday from 8:00 AM to 4:30 PM.. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached on (703) 308-1436. Any response to this office action should be mailed to: The Commissioner of Patents and Trademarks, Washington, D.C. 20231. Or telefax at phone number (703) 746-9098. For formal or draft communications, please label "PROPOSED" or "DRAFT". Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive, 6<sup>th</sup> Floor Receptionist, Arlington, Virginia. 22202.

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Sana Al-Hashemi  
Patent Examiner  
Technology Center 2100  
May 29, 2003

  
SAFET METJAHIC  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100